

ESTTA Tracking number: **ESTTA506761**

Filing date: **11/20/2012**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

Opposer Information

Name	Hat World, Inc.
Granted to Date of previous extension	11/21/2012
Address	7555 Woodland Drive Indianapolis, IN 46278 UNITED STATES

Attorney information	David L. May Nixon Peabody LLP 401 Ninth Street NW, Suite 900 Washington, DC 20004 UNITED STATES nptm@nixonpeabody.com, was.managing.clerk@nixonpeabody.com, dmay@nixonpeabody.com, jmolino@nixonpeabody.com Phone:202.585.8000
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Applicant Information

Application No	85524215	Publication date	07/24/2012
Opposition Filing Date	11/20/2012	Opposition Period Ends	11/21/2012
Applicants	Saunders, Thomas R. PO Box 75 Kearney, MO 64040 UNITED STATES Sheron, Aileen 519 Luminous Irvine, CA 92603 UNITED STATES		

Goods/Services Affected by Opposition

Class 028. All goods and services in the class are opposed, namely: Manually-operated exercise equipment


Grounds for Opposition


Priority and likelihood of confusion	Trademark Act section 2(d)
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Marks Cited by Opposer as Basis for Opposition


U.S. Registration No.	1951224	Application Date	02/27/1995
Registration Date	01/23/1996	Foreign Priority	NONE

		Date	
Word Mark	THE ROCK		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 028. First use: First Use: 1986/06/01 First Use In Commerce: 1986/06/01 basketballs and basketball equipment, namely basketball backboards, basketball rims, and inflatable game balls		


U.S. Registration No.	2719009	Application Date	06/06/2002
Registration Date	05/27/2003	Foreign Priority Date	NONE
Word Mark	THE ROCK		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 028. First use: First Use: 1998/03/00 First Use In Commerce: 1998/03/00 ATHLETIC SPORTING GOODS, NAMELY, SOFTBALLS AND BASEBALLS		


U.S. Registration No.	3254394	Application Date	06/21/2004
Registration Date	06/26/2007	Foreign Priority Date	NONE
Word Mark	THE ROCK		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 2002/03/15 First Use In Commerce: 2002/03/15 SPORT WHISTLES Class 016. First use: First Use: 2002/03/15 First Use In Commerce: 2002/03/15		

	<p>STATIONERY-TYPE PORTFOLIOS, SCORING BOOKS, AND CLIPBOARDS</p> <p>Class 018. First use: First Use: 2002/03/15 First Use In Commerce: 2002/03/15</p> <p>BAGS, NAMELY, TRAVEL BAGS, ATTACHE BAGS, DUFFEL BAGS, TOTE BAGS, CARRY-ALL BAGS, AND ATHLETIC BAGS</p> <p>Class 022. First use: First Use: 2002/03/15 First Use In Commerce: 2002/03/15</p> <p>LANYARDS FOR HOLDING KEYS AND WHISTLES</p> <p>Class 025. First use: First Use: 2002/03/15 First Use In Commerce: 2002/03/15</p> <p>CLOTHING, NAMELY, JACKETS, SWEATERS, SHIRTS, T-SHIRTS, SWEATSHIRTS, SPORT SHIRTS, SHORTS, SWEAT SHORTS, SPORT SHORTS, PANTS, SWEAT PANTS, SPORT PANTS, HATS, CAPS, SWEATERS, AND ATHLETIC UNIFORMS</p> <p>Class 028. First use: First Use: 2002/03/15 First Use In Commerce: 2002/03/15</p> <p>ATHLETIC EQUIPMENT, NAMELY, BALL RACKS, BASKETBALLS, BASKETBALL RIMS, AND BAGS FOR CARRYING SPORT BALLS</p>
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U.S. Registration No.	3333365	Application Date	10/03/2006
Registration Date	11/13/2007	Foreign Priority Date	NONE
Word Mark	THE ROCK		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 028. First use: First Use: 1986/00/00 First Use In Commerce: 1986/00/00 Basketballs		

U.S. Registration No.	3333366	Application Date	10/03/2006
Registration Date	11/13/2007	Foreign Priority Date	NONE
Word Mark	THE BIG ROCK		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 028. First use: First Use: 1986/00/00 First Use In Commerce: 1986/00/00 Basketballs

U.S. Registration No.	3876315	Application Date	09/28/2005
Registration Date	11/16/2010	Foreign Priority Date	NONE
Word Mark	THE ROCK		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 009. First use: First Use: 1986/00/00 First Use In Commerce: 1986/00/00 Sport whistles</p> <p>Class 014. First use: First Use: 1986/00/00 First Use In Commerce: 1986/00/00 Jewelry watches</p> <p>Class 016. First use: First Use: 1986/00/00 First Use In Commerce: 1986/00/00 Stationery-type portfolios; scoring books; and clipboards</p> <p>Class 018. First use: First Use: 1986/00/00 First Use In Commerce: 1986/00/00 Bags, namely, travel bags, attache bags, duffel bags, tote bags, carry-all bags, and athletic bags</p> <p>Class 022. First use: First Use: 1986/00/00 First Use In Commerce: 1986/00/00 Lanyards for holding keys and whistles</p> <p>Class 028. First use: First Use: 1998/06/01 First Use In Commerce: 1998/06/01 Athletic equipment, namely, ball racks, and bags for carrying sport balls; footballs</p> <p>Class 035. First use: First Use: 2002/03/15 First Use In Commerce: 2002/03/15 Mail order catalog services and mail order services featuring sporting equipment, sports memorabilia, athletic equipment, athletic and sports uniforms</p>		

	and shoes, clothing, luggage and carrying bags; and wholesale distributorship services featuring sporting equipment, sports memorabilia, athletic equipment, athletic and sports uniforms and shoes, clothing, luggage and carrying bags; retail store services featuring sporting equipment, sports memorabilia, athletic equipment, athletic and sports uniforms and shoes, clothing, luggage and carrying bags; Online retail store services in the field of sports and sports equipment; Retail store services in the field of sports and sports equipment
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U.S. Application No.	85685852	Application Date	07/24/2012
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	ROCK		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 009. First use: First Use: 2002/03/15 First Use In Commerce: 2002/03/15 Sport whistles</p> <p>Class 016. First use: First Use: 2002/03/15 First Use In Commerce: 2002/03/15 Stationery-type portfolios, scoring books, and clip boards</p> <p>Class 018. First use: First Use: 2002/03/15 First Use In Commerce: 2002/03/15 Bags, namely, travel bags, attachÃ© bags, duffel bags, tote bags, carry-all bags, and athletic bags</p> <p>Class 022. First use: First Use: 2002/03/15 First Use In Commerce: 2002/03/15 Lanyards for holding keys and whistles</p> <p>Class 028. First use: First Use: 1986/00/00 First Use In Commerce: 1986/00/00 Basketballs, basketball backboards, basketball rims, and inflatable game balls, softballs, baseballs, athletic equipment, namely, ball racks, bags for carrying sport balls</p> <p>Class 035. First use: retail services, namely, online retail store services and mail order catalog services, featuring sporting equipment and accessories</p>		

Attachments	76418496#TMSN.gif (1 page)(bytes) 76598447#TMSN.gif (1 page)(bytes) 77012684#TMSN.jpeg (1 page)(bytes) 77012706#TMSN.jpeg (1 page)(bytes) 78722281#TMSN.jpeg (1 page)(bytes) 85685852#TMSN.jpeg (1 page)(bytes) FIRM_DM-#14223877-v3-Notice_of_Opposition_(ROCK_360).pdf (46 pages) (191612 bytes)
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Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/JSM/
Name	Jeffrey S. Molinoff
Date	11/20/2012

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the Matter of:

Application Serial No. 85/524,215

Mark: ROCK 360

Published in the Official Gazette: July 24, 2012

_____)	
Hat World, Inc.,)	
)	
Opposer,)	
)	
v.)	Opposition No. _____
)	Appln. Serial No. 85/524,215
Aileen Sheron and Thomas R. Saunders,)	
)	
Applicants.)	
_____)	

NOTICE OF OPPOSITION

Hat World, Inc., a corporation organized and existing under the laws of Minnesota, located and doing business at 7555 Woodland Drive, Indianapolis, IN 46278 (hereinafter "Opposer" or "Hat World"), believing that it will be damaged by registration, hereby opposes registration of the mark shown in Application Serial No. 85/524,215, filed January 24, 2012, under the Trademark Act of 1946, in the names of **Aileen Sheron and Thomas R. Saunders**, individual United States citizens with addresses of record of 519 Luminous, Irvine, California 92603 and P.O. Box 75, Kearney, Missouri 64040, respectively (hereinafter "Applicants"), published for opposition in the *Official Gazette* of July 24, 2012, for the mark ROCK 360.

The grounds of Opposition are as follows:

1. Opposer and its predecessors in interest have used in U.S. commerce, and have established prior rights in and to the marks ROCK and THE ROCK, and variations thereon, in

connection with a wide variety of sporting goods, clothing, retail store services, and other goods and services, as set forth within the below-referenced trademark registrations and application, long prior to the filing date of the Opposed Mark, or any other date on which Applicants can rely for use of the Opposed Mark, including use of the marks ROCK and THE ROCK in connection with goods in International Class 28 and services in International Class 35.

2. Opposer is the owner of valid, subsisting and incontestable U.S. Trademark Registration No. 1,951,224 for the mark THE ROCK for use with the Class 28 goods, *basketballs and basketball equipment, namely basketball backboards, basketball rims, and inflatable game balls*. A status copy of this registration is attached hereto.

3. Opposer is the owner of valid, subsisting and incontestable U.S. Trademark Registration No. 2,719,009 for the mark THE ROCK for use with the Class 28 goods, *athletic sporting goods, namely, softballs and baseballs*. A status copy of this registration is attached hereto.

4. Opposer is the owner of valid and subsisting U.S. Trademark Registration No. 3,254,394 for the mark THE ROCK & Design for use with a wide variety of goods and services, including, *inter alia*, for use with the Class 9 goods, *sport whistles*; the Class 16 goods, *stationery-type portfolios, scoring books, and clipboards*; the Class 18 goods, *bags, namely, travel bags, attache bags, duffel bags, tote bags, carry-all bags, and athletic bags*; and for use with the Class 28 goods, *athletic equipment, namely, ball racks, basketballs, basketball rims, and bags for carrying sport balls*. A status copy of this registration is attached hereto.

5. Opposer is the owner of valid and subsisting U.S. Trademark Registration No. 3,333,365 for the mark THE ROCK & Design for use with the Class 28 goods, *basketballs*. A status copy of this registration is attached hereto.

6. Opposer is the owner of valid and subsisting U.S. Trademark Registration No. 3,333,366 for the mark THE BIG ROCK & Design for use with the Class 28 goods, *basketballs*. A status copy of this registration is attached hereto.

7. Opposer is the owner of valid and subsisting U.S. Trademark Registration No. 3,876,315 for the mark THE ROCK for use with a wide variety of goods and services, including, *inter alia*, the Class 9 goods, *sport whistles*; the Class 14 goods, *jewelry watches*; the Class 16 goods, *stationery-type portfolios; scoring books; and clipboards*; the Class 18 goods, *bags, namely, travel bags, attache bags, duffel bags, tote bags, carry-all bags, and athletic bags*; the Class 22 goods, *lanyards for holding keys and whistles*; the Class 28 goods, *athletic equipment, namely, ball racks, and bags for carrying sport balls; footballs*; and the Class 35 services, *mail order catalog services and mail order services featuring sporting equipment, sports memorabilia, athletic equipment, athletic and sports uniforms and shoes, clothing, luggage and carrying bags; and wholesale distributorship services featuring sporting equipment, sports memorabilia, athletic equipment, athletic and sports uniforms and shoes, clothing, luggage and carrying bags; retail store services featuring sporting equipment, sports memorabilia, athletic equipment, athletic and sports uniforms and shoes, clothing, luggage and carrying bags; Online retail store services in the field of sports and sports equipment; Retail store services in the field of sports and sports equipment*. A status copy of this registration is attached hereto.

8. Opposer is the owner of valid and subsisting U.S. Trademark Application No. 85/685,852 for the mark ROCK for use with a wide variety of goods and services, including, *inter alia*, the Class 9 goods, *sport whistles*; the Class 16 goods, *stationery-type portfolios; scoring books; and clipboards*; the Class 18 goods, *bags, namely, travel bags, attache bags, duffel bags, tote bags, carry-all bags, and athletic bags*; the Class 22 goods, *lanyards for holding keys and whistles*; the Class 28 goods, *basketballs, basketball backboards, basketball*

rims, and inflatable game balls, softballs, baseballs, athletic equipment, namely, ball racks, bags for carrying sport balls; and the Class 35 services, retail services, namely, online retail store services and mail order catalog services, featuring sporting equipment and accessories.

A status copy of this application is attached hereto.

9. The marks listed in Paragraphs 1 – 13 may hereinafter be referred to as the “ROCK Marks.”

10. Upon information and belief, on January 24, 2012, Applicants filed, under Trademark Act § 1(b) claiming an intent to use the mark in commerce, U.S. Trademark Application No. 85/524,215 for the mark ROCK 360 for use with, *inter alia, manually-operated exercise equipment* in Class 28 (“the Opposed Mark”).

11. Prior to Applicant’s filing date and claimed date of first use, Opposer engaged and is now engaged in the sale, advertising, and promotion in U.S. Commerce of the goods and services set forth within Opposer’s aforementioned U.S. Trademark registrations and application under the marks listed in paragraphs 1-13 above.

12. Opposer and its predecessors in interest have used in U.S. commerce, and have established prior rights in and to the marks ROCK and THE ROCK, and variations thereon, in connection with a wide variety of sporting goods, clothing, retail store services, and other goods and services, as set forth within the aforementioned registrations and application, long prior to the filing date of the Opposed Mark, or any other date on which Applicants can rely for use of the Opposed Mark.

13. Through its long and continuous use of the ROCK and THE ROCK trademarks, Opposer and its predecessors in interest have expended significant revenue and resources in the marketing and sale of a wide range of goods and services, including sports-related goods and services and clothing, and, through these efforts, have established valuable consumer recognition and goodwill therein.

14. Applicants' use and registration of the mark set forth in the Opposed Application will create a likelihood of confusion, mistake and/or deception among consumers, within the meaning of Trademark Act § 2(d), all to the detriment of Opposer.

15. Upon information and belief, Opposer avers that members of the relevant consuming public are likely to be confused, mistaken, or deceived as to the origin, sponsorship, or approval of Applicants' goods to be marketed and offered under Applicants' alleged ROCK 360 mark and misled into believing that such goods are produced by, emanate from, or are in some way associated with Opposer, in light of Opposer's prior use and registration of the ROCK marks, to the damage and detriment of Opposer and its reputations.

16. Upon information and belief, Opposer avers that it will be damaged by Applicants' registration of the alleged ROCK 360 mark, as set forth in Applicants' Trademark Application Serial No. 85/524,215.

WHEREFORE, Opposer Hat World, Inc. believes and avers that it is being and will continue to be damaged by registration of the ROCK 360 mark as aforesaid, and requests that said Application Serial No. 85/524,215 be rejected, that no registration be issued thereon to Applicants, and that this Opposition be sustained in favor of Opposer.

Opposer has appointed David L. May, a member of the District of Columbia bar, and Jeffrey S. Molinoff and Laura D. Golden, all of the law firm of Nixon Peabody LLP, to prosecute this opposition proceeding and to transact all business in and before the United States Patent and Trademark Office in connection herewith. Please address all correspondence to:

David L. May
NIXON PEABODY LLP
401 9th Street NW
Suite 900
Washington, DC 20004-2128

The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 50-2686.

Respectfully submitted,

By /JSM/

David L. May
Jeffrey S. Molinoff
Laura D. Golden
NIXON PEABODY LLP
401 9th Street NW, Suite 900
Washington, DC 20004-2128

(202) 585-8000 (Phone)

(202) 585-8080 (Facsimile)

dmay@nixonpeabody.com

jmolinoff@nixonpeabody.com

lgolden@nixonpeabody.com

was.managing.clerk@nixonpeabody.com

Counsel for Opposer

Dated: November 20, 2012

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing **NOTICE OF OPPOSITION** was served on Applicant's attorney of record at his address of record as listed in the records of the U.S. Patent and Trademark Office this 20th day of November, 2012, by sending same, via first class mail, postage prepaid, to:

Joan Optican Herman
HOVEY WILLIAMS LLP
10801 Mastin St Ste 1000
Overland Park, Kansas 66210-1697

/JSM/

Jeffrey S. Molinoff

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Mark: THE ROCK

US Serial Number: 74638668

Application Filing Date: Feb. 27, 1995

US Registration Number: 1951224

Registration Date: Jan. 23, 1996

Register: Principal

Mark Type: Trademark

Status: The registration has been renewed.

Status Date: Sep. 27, 2005

Publication Date: Oct. 31, 1995

Mark Information

Mark Literal Elements: THE ROCK

Standard Character Claim: No

Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

Related Properties Information

Claimed Ownership of US Registrations: [1534487](#)

Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((..)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services

For: basketballs and basketball equipment, namely basketball backboards, basketball rims, and inflatable game balls

International Class:	028 - Primary Class	U.S Class:	022, 023, 038, 050
Class Status:	ACTIVE		
Basis:	1(a)		
First Use:	Jun. 01, 1986	Use in Commerce:	Jun. 01, 1986

Basis Information (Case Level)

Filed Use:	Yes	Currently Use:	Yes	Amended Use:	No
Filed ITU:	No	Currently ITU:	No	Amended ITU:	No
Filed 44D:	No	Currently 44D:	No	Amended 44D:	No
Filed 44E:	No	Currently 44E:	No	Amended 44E:	No
Filed 66A:	No	Currently 66A:	No		
Filed No Basis:	No	Currently No Basis:	No		

Current Owner(s) Information

Owner Name:	HAT WORLD, INC.		
Owner Address:	7555 WOODLAND DRIVE INDIANAPOLIS, INDIANA 46278 UNITED STATES		
Legal Entity Type:	CORPORATION	State or Country Where Organized:	MINNESOTA

Attorney/Correspondence Information

Attorney of Record

Attorney Name:	Jeffrey L. Costellia	Docket Number:	740403-13
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Correspondent

Correspondent Name/Address:	JEFFREY L COSTELLIA NIXON & PEABODY LLP STE 900, 401 9TH ST NW WASHINGTON, DISTRICT OF COLUMBIA 20004 UNITED STATES
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Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jul. 16, 2012	NOTICE OF SUIT	
Jan. 26, 2012	NOTICE OF SUIT	
Oct. 06, 2010	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Jun. 11, 2007	CASE FILE IN TICRS	
Sep. 27, 2005	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Sep. 27, 2005	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jul. 22, 2005	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Jul. 22, 2005	TEAS SECTION 8 & 9 RECEIVED	
Mar. 26, 2002	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Jan. 23, 2002	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Jan. 23, 2002	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Jan. 23, 1996	REGISTERED-PRINCIPAL REGISTER	
Oct. 31, 1995	PUBLISHED FOR OPPOSITION	
Oct. 02, 1995	NOTICE OF PUBLICATION	
Aug. 15, 1995	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 10, 1995	EXAMINER'S AMENDMENT MAILED	
Aug. 08, 1995	ASSIGNED TO EXAMINER	72623

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Jan. 23, 2006

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: SCANNING ON DEMAND **Date in Location:** Jun. 11, 2007

Assignment Abstract of Title Information

Summary

Total Assignments: 2 **Registrant:** Anaconda Sports, Inc.

Assignment 1 of 2

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [4289/0475](#) **Pages:** 8

Date Recorded: Oct. 04, 2010

Supporting Documents: [assignment-tm-4289-0475.pdf](#)

Assignor

Name: [ANACONDA SPORTS, INC.](#) **Execution Date:** Aug. 25, 2010

Legal Entity Type: CORPORATION **State or Country Where Organized:** NEW YORK

Assignee

Name: [HAT WORLD, INC.](#)

Legal Entity Type: CORPORATION **State or Country Where Organized:** MINNESOTA

Address: 7555 WOODLAND DRIVE
INDIANAPOLIS, INDIANA 46278

Correspondent

Correspondent Name: DAVID L. MAY

Correspondent Address: 401 9TH STREET NW, SUITE 900
WASHINGTON, DC 20004

Domestic Representative - Not Found

Assignment 2 of 2

Conveyance: SECURITY INTEREST

Reel/Frame: [4461/0818](#)

Pages: 14

Date Recorded: Jan. 27, 2011

Supporting Documents: [assignment-tm-4461-0818.pdf](#)

Assignor

Name: [HAT WORLD, INC.](#)

Execution Date: Jan. 21, 2011

Legal Entity Type: CORPORATION

**State or Country
Where
Organized:** MINNESOTA

Assignee

Name: [BANK OF AMERICA, N.A., AS COLLATERAL AGENT](#)

Legal Entity Type: ASSOCIATION

**State or Country
Where
Organized:** UNITED STATES

Address: 100 FEDERAL STREET, 9TH FLOOR
BOSTON, MASSACHUSETTS 02110

Correspondent

**Correspondent
Name:** JEAN PATTERSON

**Correspondent
Address:** 1090 VERMONT AVENUE, NW
SUITE 430
WASHINGTON, DC 20005

Domestic Representative - Not Found

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Mark: THE ROCK

THE ROCK

US Serial Number: 76418496

Application Filing Date: Jun. 06, 2002

US Registration Number: 2719009

Registration Date: May 27, 2003

Register: Principal

Mark Type: Trademark

Status: A Sections 8 and 15 combined declaration has been accepted and acknowledged.

Status Date: Jun. 21, 2009

Publication Date: Mar. 04, 2003

Mark Information

Mark Literal Elements: THE ROCK

Standard Character Claim: No

Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- • Brackets [...] indicate deleted goods/services;
- • Double parenthesis ((..)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- • Asterisks *..* identify additional (new) wording in the goods/services

For: ATHLETIC SPORTING GOODS, NAMELY, SOFTBALLS AND BASEBALLS

International 028 - Primary Class

U.S Class: 022, 023, 038, 050

Class:

Class Status: ACTIVE

Basis: 1(a)

First Use: Mar. 1998

Use in Commerce: Mar. 1998

Basis Information (Case Level)

Filed Use:	Yes	Currently Use:	Yes	Amended Use:	No
Filed ITU:	No	Currently ITU:	No	Amended ITU:	No
Filed 44D:	No	Currently 44D:	No	Amended 44D:	No
Filed 44E:	No	Currently 44E:	No	Amended 44E:	No
Filed 66A:	No	Currently 66A:	No		
Filed No Basis:	No	Currently No Basis:	No		

Current Owner(s) Information

Owner Name: HAT WORLD, INC.

7555 WOODLAND DRIVE
Owner Address: INDIANAPOLIS, INDIANA 46278
UNITED STATES

Legal Entity Type:	CORPORATION	State or Country Where Organized:	MINNESOTA
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Attorney/Correspondence Information

Attorney of Record

Attorney Name: David L. May

Docket Number: 058988-38

Correspondent

Correspondent Name/Address: David L. May
NIXON PEABODY LLP
SUITE 900
401 9TH STREET, N.W.
WASHINGTON, DISTRICT OF COLUMBIA 20004
UNITED STATES

Phone: 202-585-8000

Fax: 202-585-8080

Correspondent e-mail: NPTM@nixonpeabody.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Nov. 08, 2012	TEAS SECTION 8 & 9 RECEIVED	
Jul. 16, 2012	NOTICE OF SUIT	
Jan. 26, 2012	NOTICE OF SUIT	
Oct. 06, 2010	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Jun. 21, 2009	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	70619
Jun. 13, 2009	ASSIGNED TO PARALEGAL	70619
Jun. 11, 2009	TEAS SECTION 8 & 15 RECEIVED	
Feb. 19, 2009	CASE FILE IN TICS	
May 27, 2003	REGISTERED-PRINCIPAL REGISTER	
Mar. 04, 2003	PUBLISHED FOR OPPOSITION	
Feb. 12, 2003	NOTICE OF PUBLICATION	
Dec. 29, 2002	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 18, 2002	ASSIGNED TO EXAMINER	76615

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: POST REGISTRATION

Date in Location: Jun. 21, 2009

Assignment Abstract of Title Information

Summary

**Total
Assignments:** 2

Registrant: Anaconda Sports, Inc.

Assignment 1 of 2

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [4289/0475](#)

Pages: 8

Date Recorded: Oct. 04, 2010

**Supporting
Documents:** [assignment-tm-4289-0475.pdf](#)

Assignor

Name: [ANACONDA SPORTS, INC.](#) **Execution Date:** Aug. 25, 2010

Legal Entity Type: CORPORATION **State or Country
Where
Organized:** NEW YORK

Assignee

Name: [HAT WORLD, INC.](#)

Legal Entity Type: CORPORATION **State or Country
Where
Organized:** MINNESOTA

Address: 7555 WOODLAND DRIVE
INDIANAPOLIS, INDIANA 46278

Correspondent

**Correspondent
Name:** DAVID L. MAY

**Correspondent
Address:** 401 9TH STREET NW, SUITE 900
WASHINGTON, DC 20004

Domestic Representative - Not Found

Assignment 2 of 2

Conveyance: SECURITY INTEREST

Reel/Frame: [4461/0818](#)

Pages: 14

Date Recorded: Jan. 27, 2011

**Supporting
Documents:** [assignment-tm-4461-0818.pdf](#)

Assignor

Name: [HAT WORLD, INC.](#)

Execution Date: Jan. 21, 2011

Legal Entity Type: CORPORATION

**State or Country
Where
Organized:** MINNESOTA

Assignee

Name: [BANK OF AMERICA, N.A., AS COLLATERAL AGENT](#)

Legal Entity Type: ASSOCIATION

**State or Country
Where
Organized:** UNITED STATES

Address: 100 FEDERAL STREET, 9TH FLOOR
BOSTON, MASSACHUSETTS 02110

Correspondent

**Correspondent
Name:** JEAN PATTERSON

**Correspondent
Address:** 1090 VERMONT AVENUE, NW
SUITE 430
WASHINGTON, DC 20005

Domestic Representative - Not Found

Generated on: This page was generated by TSDR on 2012-11-19 19:25:25 EST

Mark: THE ROCK



US Serial Number: 76598447

Application Filing Date: Jun. 21, 2004

US Registration Number: 3254394

Registration Date: Jun. 26, 2007

Register: Principal

Mark Type: Trademark

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Jun. 26, 2007

Publication Date: Oct. 18, 2005

Mark Information

Mark Literal Elements: THE ROCK

Standard Character Claim: No

Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

Design Search Code(s): 21.03.20 - Basketballs
26.01.04 - Circles with two breaks or divided in the middle
26.01.11 - Circles comprised of humans;Circles comprised of letters or numerals;Circles comprised of geometric figures;Circles comprised of animals;Circles comprised of plants;Letters, numerals, punctuation, geometric figures, objects, humans, plants or animals comprising a circle;Circles comprised of punctuation
26.01.21 - Circles that are totally or partially shaded.

27.01.04 - Letters forming objects; Objects composed of letters or numerals; Numbers forming objects; Punctuation forming objects

Related Properties Information

Claimed Ownership of US Registrations: [1534487](#), [1951224](#), [2049744](#), [2719009](#), [2804533](#), and others

Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((..)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services

For: SPORT WHISTLES

International Class: 009 - Primary Class

U.S Class: 021, 023, 026, 036, 038

Class Status: ACTIVE

Basis: 1(a)

First Use: Mar. 15, 2002

Use in Commerce: Mar. 15, 2002

For: STATIONERY-TYPE PORTFOLIOS, SCORING BOOKS, AND CLIPBOARDS

International Class: 016 - Primary Class

U.S Class: 002, 005, 022, 023, 029, 037, 038, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Mar. 15, 2002

Use in Commerce: Mar. 15, 2002

For: BAGS, NAMELY, TRAVEL BAGS, ATTACHE BAGS, DUFFEL BAGS, TOTE BAGS, CARRY-ALL BAGS, AND ATHLETIC BAGS

International Class: 018 - Primary Class

U.S Class: 001, 002, 003, 022, 041

Class Status: ACTIVE

Basis: 1(a)
First Use: Mar. 15, 2002 **Use in Commerce:** Mar. 15, 2002

For: LANYARDS FOR HOLDING KEYS AND WHISTLES
International Class: 022 - Primary Class **U.S Class:** 001, 002, 007, 019, 022, 042, 050
Class Status: ACTIVE
Basis: 1(a)
First Use: Mar. 15, 2002 **Use in Commerce:** Mar. 15, 2002

For: CLOTHING, NAMELY, JACKETS, SWEATERS, SHIRTS, T-SHIRTS, SWEATSHIRTS, SPORT SHIRTS, SHORTS, SWEAT SHORTS, SPORT SHORTS, PANTS, SWEAT PANTS, SPORT PANTS, HATS, CAPS, SWEATERS, AND ATHLETIC UNIFORMS
International Class: 025 - Primary Class **U.S Class:** 022, 039
Class Status: ABANDONED
Basis: 1(a)
First Use: Mar. 15, 2002 **Use in Commerce:** Mar. 15, 2002

For: ATHLETIC EQUIPMENT, NAMELY, BALL RACKS, BASKETBALLS, BASKETBALL RIMS, AND BAGS FOR CARRYING SPORT BALLS
International Class: 028 - Primary Class **U.S Class:** 022, 023, 038, 050
Class Status: ACTIVE
Basis: 1(a)
First Use: Mar. 15, 2002 **Use in Commerce:** Mar. 15, 2002

Basis Information (Case Level)

Filed Use:	Yes	Currently Use:	Yes	Amended Use:	No
Filed ITU:	No	Currently ITU:	No	Amended ITU:	No
Filed 44D:	No	Currently 44D:	No	Amended 44D:	No
Filed 44E:	No	Currently 44E:	No	Amended 44E:	No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

**Currently No
Basis:** No

Current Owner(s) Information

Owner Name: HAT WORLD, INC.

Owner Address: 7555 WOODLAND DRIVE
INDIANAPOLIS, INDIANA 46278
UNITED STATES

**Legal Entity
Type:** CORPORATION

**State or Country
Where
Organized:** MINNESOTA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Jeffrey L. Costellia

Docket Number: 740403-55

Correspondent

**Correspondent
Name/Address:** JEFFREY L. COSTELLIA
NIXON PEABODY LLP
401 9TH STREET NW
STE 900
WASHINGTON, DISTRICT OF COLUMBIA 20004-2128
UNITED STATES

Phone: (202) 585-8000

Fax: (202) 585-8080

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jan. 26, 2012	NOTICE OF SUIT	
Oct. 06, 2010	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Jun. 26, 2007	REGISTERED-PRINCIPAL REGISTER	
Apr. 24, 2007	OPPOSITION TERMINATED NO. 999999	170637
Apr. 24, 2007	OPPOSITION DISMISSED NO. 999999	170637

Apr. 28, 2006	OPPOSITION INSTITUTED NO. 999999	170637
Nov. 15, 2005	EXTENSION OF TIME TO OPPOSE RECEIVED	
Oct. 18, 2005	PUBLISHED FOR OPPOSITION	
Sep. 28, 2005	NOTICE OF PUBLICATION	
Aug. 17, 2005	LAW OFFICE PUBLICATION REVIEW COMPLETED	78288
Jul. 22, 2005	ASSIGNED TO LIE	78288
Jul. 18, 2005	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 06, 2005	AMENDMENT FROM APPLICANT ENTERED	70824
Jun. 29, 2005	CORRESPONDENCE RECEIVED IN LAW OFFICE	70824
Jun. 29, 2005	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jan. 28, 2005	NON-FINAL ACTION MAILED	
Jan. 27, 2005	NON-FINAL ACTION WRITTEN	66582
Jan. 24, 2005	ASSIGNED TO EXAMINER	66582
Jul. 07, 2004	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location:	PUBLICATION AND ISSUE SECTION	Date in Location: Jun. 26, 2007
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Assignment Abstract of Title Information

Summary

Total Assignments:	2	Registrant:	Anaconda Sports, Inc.
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Assignment 1 of 2

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: 4289/0475	Pages: 8
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Date Recorded: Oct. 04, 2010

Supporting Documents: [assignment-tm-4289-0475.pdf](#)

Assignor

Name: [ANACONDA SPORTS, INC.](#) **Execution Date:** Aug. 25, 2010

Legal Entity Type: CORPORATION

**State or Country
Where
Organized:** NEW YORK

Assignee

Name: [HAT WORLD, INC.](#)

Legal Entity Type: CORPORATION

**State or Country
Where
Organized:** MINNESOTA

Address: 7555 WOODLAND DRIVE
INDIANAPOLIS, INDIANA 46278

Correspondent

**Correspondent
Name:** DAVID L. MAY

**Correspondent
Address:** 401 9TH STREET NW, SUITE 900
WASHINGTON, DC 20004

Domestic Representative - Not Found

Assignment 2 of 2

Conveyance: SECURITY INTEREST

Reel/Frame: [4461/0818](#)

Pages: 14

Date Recorded: Jan. 27, 2011

**Supporting
Documents:** [assignment-tm-4461-0818.pdf](#)

Assignor

Name: [HAT WORLD, INC.](#)

Execution Date: Jan. 21, 2011

Legal Entity Type: CORPORATION

**State or Country
Where
Organized:** MINNESOTA

Assignee

Name: [BANK OF AMERICA, N.A., AS COLLATERAL AGENT](#)

Legal Entity Type: ASSOCIATION

**State or Country
Where
Organized:** UNITED STATES

Address: 100 FEDERAL STREET, 9TH FLOOR
BOSTON, MASSACHUSETTS 02110

Correspondent

Correspondent

Name: JEAN PATTERSON

Correspondent 1090 VERMONT AVENUE, NW
Address: SUITE 430
WASHINGTON, DC 20005

Domestic Representative - Not Found

Generated on: This page was generated by TSDR on 2012-11-19 19:26:05 EST

Mark: THE ROCK



US Serial Number: 77012684

Application Filing Date: Oct. 03, 2006

US Registration Number: 3333365

Registration Date: Nov. 13, 2007

Register: Principal

Mark Type: Trademark

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Nov. 13, 2007

Publication Date: May 22, 2007

Mark Information

Mark Literal Elements: THE ROCK

Standard Character Claim: No

Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

Design Search Code(s): 06.07.01 - Skylines

Related Properties Information

Claimed Ownership of US Registrations: [1951224,2719009](#)

Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((.)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services

For: Basketballs

International Class: 028 - Primary Class

U.S Class: 022, 023, 038, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: 1986

Use in Commerce: 1986

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: HAT WORLD, INC.

Owner Address: 7555 WOODLAND DRIVE
INDIANAPOLIS, INDIANA 46278
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: MINNESOTA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Jeffrey L. Costellia

Docket Number: 740403-67

Correspondent

**Correspondent
Name/Address:**

JEFFREY L COSTELLIA
NIXON PEABODY LLP
401 9TH ST NW STE 900
WASHINGTON, DISTRICT OF COLUMBIA 20004-2145
UNITED STATES

Phone: (202) 585-8000

Fax: (202) 585-8080

**Correspondent e-
mail:**

NPTM@nixonpeabody.com

**Correspondent e-
mail Authorized:**

No

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jan. 26, 2012	NOTICE OF SUIT	
Oct. 06, 2010	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Nov. 13, 2007	REGISTERED-PRINCIPAL REGISTER	
Oct. 05, 2007	EXTENSION OF TIME TO OPPOSE PROCESS - TERMINATED	
Jun. 04, 2007	EXTENSION OF TIME TO OPPOSE RECEIVED	
May 22, 2007	PUBLISHED FOR OPPOSITION	
May 02, 2007	NOTICE OF PUBLICATION	
Mar. 26, 2007	LAW OFFICE PUBLICATION REVIEW COMPLETED	70629
Mar. 23, 2007	ASSIGNED TO LIE	70629
Feb. 28, 2007	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 21, 2007	ASSIGNED TO EXAMINER	76738
Oct. 07, 2006	NOTICE OF DESIGN SEARCH CODE MAILED	
Oct. 06, 2006	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE
SECTION

Date in Location: Nov. 13, 2007

Assignment Abstract of Title Information

Summary

**Total
Assignments:** 2

Registrant: Anaconda Sports, Inc.

Assignment 1 of 2

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [4289/0475](#)

Pages: 8

Date Recorded: Oct. 04, 2010

**Supporting
Documents:** [assignment-tm-4289-0475.pdf](#)

Assignor

Name: [ANACONDA SPORTS, INC.](#) **Execution Date:** Aug. 25, 2010

Legal Entity Type: CORPORATION **State or Country
Where
Organized:** NEW YORK

Assignee

Name: [HAT WORLD, INC.](#)

Legal Entity Type: CORPORATION **State or Country
Where
Organized:** MINNESOTA

Address: 7555 WOODLAND DRIVE
INDIANAPOLIS, INDIANA 46278

Correspondent

**Correspondent
Name:** DAVID L. MAY

**Correspondent
Address:** 401 9TH STREET NW, SUITE 900
WASHINGTON, DC 20004

Domestic Representative - Not Found

Assignment 2 of 2

Conveyance: SECURITY INTEREST

Reel/Frame: [4461/0818](#)

Pages: 14

Date Recorded: Jan. 27, 2011

Supporting Documents: [assignment-tm-4461-0818.pdf](#)

Assignor

Name: [HAT WORLD, INC.](#) **Execution Date:** Jan. 21, 2011
Legal Entity Type: CORPORATION **State or Country Where Organized:** MINNESOTA

Assignee

Name: [BANK OF AMERICA, N.A., AS COLLATERAL AGENT](#)
Legal Entity Type: ASSOCIATION **State or Country Where Organized:** UNITED STATES
Address: 100 FEDERAL STREET, 9TH FLOOR
BOSTON, MASSACHUSETTS 02110

Correspondent

Correspondent Name: JEAN PATTERSON
Correspondent Address: 1090 VERMONT AVENUE, NW
SUITE 430
WASHINGTON, DC 20005

Domestic Representative - Not Found

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Mark: THE BIG ROCK



US Serial Number: 77012706

Application Filing Date: Oct. 03, 2006

US Registration Number: 3333366

Registration Date: Nov. 13, 2007

Register: Principal

Mark Type: Trademark

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Nov. 13, 2007

Publication Date: May 22, 2007

Mark Information

Mark Literal Elements: THE BIG ROCK

Standard Character Claim: No

Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

Design Search Code(s): 06.07.01 - Skylines

Related Properties Information

Claimed Ownership of US Registrations: [1951224,2719009](#)

Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((..)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services

For: Basketballs

International Class: 028 - Primary Class

U.S Class: 022, 023, 038, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: 1986

Use in Commerce: 1986

Basis Information (Case Level)

Filed Use:	Yes	Currently Use:	Yes	Amended Use:	No
Filed ITU:	No	Currently ITU:	No	Amended ITU:	No
Filed 44D:	No	Currently 44D:	No	Amended 44D:	No
Filed 44E:	No	Currently 44E:	No	Amended 44E:	No
Filed 66A:	No	Currently 66A:	No		
Filed No Basis:	No	Currently No Basis:	No		

Current Owner(s) Information

Owner Name: HAT WORLD, INC.

Owner Address: 7555 WOODLAND DRIVE
INDIANAPOLIS, INDIANA 46278
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: MINNESOTA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Jeffrey L. Costellia

Docket Number: 740403-69

Correspondent

**Correspondent
Name/Address:**

JEFFREY L COSTELLIA
NIXON PEABODY LLP
401 9TH ST NW STE 900
WASHINGTON, DISTRICT OF COLUMBIA 20004-2145
UNITED STATES

Phone: (202) 585-8000

Fax: (202) 585-8080

**Correspondent e-
mail:**

NPTM@nixonpeabody.com

**Correspondent e-
mail Authorized:**

No

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jan. 26, 2012	NOTICE OF SUIT	
Oct. 06, 2010	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Nov. 13, 2007	REGISTERED-PRINCIPAL REGISTER	
Oct. 05, 2007	EXTENSION OF TIME TO OPPOSE PROCESS - TERMINATED	
Jun. 18, 2007	EXTENSION OF TIME TO OPPOSE RECEIVED	
May 22, 2007	PUBLISHED FOR OPPOSITION	
May 02, 2007	NOTICE OF PUBLICATION	
Mar. 26, 2007	LAW OFFICE PUBLICATION REVIEW COMPLETED	70629
Mar. 23, 2007	ASSIGNED TO LIE	70629
Feb. 28, 2007	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 21, 2007	ASSIGNED TO EXAMINER	76738
Oct. 07, 2006	NOTICE OF DESIGN SEARCH CODE MAILED	
Oct. 06, 2006	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE
SECTION

Date in Location: Nov. 13, 2007

Assignment Abstract of Title Information

Summary

**Total
Assignments:** 2

Registrant: Anaconda Sports, Inc.

Assignment 1 of 2

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [4289/0475](#)

Pages: 8

Date Recorded: Oct. 04, 2010

**Supporting
Documents:** [assignment-tm-4289-0475.pdf](#)

Assignor

Name: [ANACONDA SPORTS, INC.](#) **Execution Date:** Aug. 25, 2010

Legal Entity Type: CORPORATION

**State or Country
Where
Organized:** NEW YORK

Assignee

Name: [HAT WORLD, INC.](#)

Legal Entity Type: CORPORATION

**State or Country
Where
Organized:** MINNESOTA

Address: 7555 WOODLAND DRIVE
INDIANAPOLIS, INDIANA 46278

Correspondent

**Correspondent
Name:** DAVID L. MAY

**Correspondent
Address:** 401 9TH STREET NW, SUITE 900
WASHINGTON, DC 20004

Domestic Representative - Not Found

Assignment 2 of 2

Conveyance: SECURITY INTEREST

Reel/Frame: [4461/0818](#)

Pages: 14

Date Recorded: Jan. 27, 2011

Supporting Documents: [assignment-tm-4461-0818.pdf](#)

Assignor

Name: [HAT WORLD, INC.](#) **Execution Date:** Jan. 21, 2011
Legal Entity Type: CORPORATION **State or Country Where Organized:** MINNESOTA

Assignee

Name: [BANK OF AMERICA, N.A., AS COLLATERAL AGENT](#)
Legal Entity Type: ASSOCIATION **State or Country Where Organized:** UNITED STATES

Address: 100 FEDERAL STREET, 9TH FLOOR
BOSTON, MASSACHUSETTS 02110

Correspondent

Correspondent Name: JEAN PATTERSON

Correspondent Address: 1090 VERMONT AVENUE, NW
SUITE 430
WASHINGTON, DC 20005

Domestic Representative - Not Found

Generated on: This page was generated by TSDR on 2012-11-19 19:30:54 EST

Mark: THE ROCK

THE ROCK

US Serial Number: 78722281

Application Filing Date: Sep. 28, 2005

US Registration Number: 3876315

Registration Date: Nov. 16, 2010

Register: Principal

Mark Type: Trademark, Service Mark

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Nov. 16, 2010

Publication Date: Mar. 30, 2010

Mark Information

Mark Literal Elements: THE ROCK

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Related Properties Information

Claimed Ownership of US Registrations: [1951224,2719009](#)

Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((..)) identify any goods/services not claimed in a Section 15 affidavit

of incontestability; and

- Asterisks *..* identify additional (new) wording in the goods/services

For:	Sport whistles		
International Class:	009 - Primary Class	U.S Class:	021, 023, 026, 036, 038
Class Status:	ACTIVE		
Basis:	1(a)		
First Use:	1986	Use in Commerce:	1986
<hr/>			
For:	Jewelry watches		
International Class:	014 - Primary Class	U.S Class:	002, 027, 028, 050
Class Status:	ACTIVE		
Basis:	1(a)		
First Use:	1986	Use in Commerce:	1986
<hr/>			
For:	Stationery-type portfolios; scoring books; and clipboards		
International Class:	016 - Primary Class	U.S Class:	002, 005, 022, 023, 029, 037, 038, 050
Class Status:	ACTIVE		
Basis:	1(a)		
First Use:	1986	Use in Commerce:	1986
<hr/>			
For:	Bags, namely, travel bags, attache bags, duffel bags, tote bags, carry-all bags, and athletic bags		
International Class:	018 - Primary Class	U.S Class:	001, 002, 003, 022, 041
Class Status:	ACTIVE		
Basis:	1(a)		
First Use:	1986	Use in Commerce:	1986
<hr/>			
For:	Lanyards for holding keys and whistles		
International Class:			001, 002, 007, 019, 022,

Class:	022 - Primary Class	U.S Class:	042, 050
Class Status:	ACTIVE		
Basis:	1(a)		
First Use:	1986	Use in Commerce:	1986

For:	Athletic equipment, namely, ball racks, and bags for carrying sport balls; footballs		
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International Class:	028 - Primary Class	U.S Class:	022, 023, 038, 050
Class Status:	ACTIVE		
Basis:	1(a)		
First Use:	Jun. 01, 1998	Use in Commerce:	Jun. 01, 1998

For:	Mail order catalog services and mail order services featuring sporting equipment, sports memorabilia, athletic equipment, athletic and sports uniforms and shoes, clothing, luggage and carrying bags; and wholesale distributorship services featuring sporting equipment, sports memorabilia, athletic equipment, athletic and sports uniforms and shoes, clothing, luggage and carrying bags; retail store services featuring sporting equipment, sports memorabilia, athletic equipment, athletic and sports uniforms and shoes, clothing, luggage and carrying bags; Online retail store services in the field of sports and sports equipment; Retail store services in the field of sports and sports equipment
-------------	---

International Class:	035 - Primary Class	U.S Class:	100, 101, 102
Class Status:	ACTIVE		
Basis:	1(a)		
First Use:	Mar. 15, 2002	Use in Commerce:	Mar. 15, 2002

Basis Information (Case Level)

Filed Use:	Yes	Currently Use:	Yes	Amended Use:	No
Filed ITU:	No	Currently ITU:	No	Amended ITU:	No
Filed 44D:	No	Currently 44D:	No	Amended 44D:	No
Filed 44E:	No	Currently 44E:	No	Amended 44E:	No
Filed 66A:	No	Currently 66A:	No		
		Currently No			

Filed No Basis: No

Basis: No

Current Owner(s) Information

Owner Name: Anaconda Sports, Inc.
One Anaconda Drive
Owner Address: Lake Katrina, NEW YORK 12447
UNITED STATES
Legal Entity Type: CORPORATION **State or Country Where Organized:** NEW YORK

Attorney/Correspondence Information

Attorney of Record

Attorney Name: David L. May, Esq. **Docket Number:** 740403-65

Correspondent

Correspondent Name/Address: DAVID L MAY ESQ
NIXON PEABODY LLP
401 9TH ST NW STE 900
WASHINGTON, DISTRICT OF COLUMBIA 20004-2145
UNITED STATES
Phone: (202) 585-8000 **Fax:** (202) 585-8080
Correspondent e-mail: nptm@nixonpeabody.com **Correspondent e-mail Authorized:** No

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jul. 16, 2012	NOTICE OF SUIT	
Jan. 26, 2012	NOTICE OF SUIT	
Nov. 16, 2010	REGISTERED-PRINCIPAL REGISTER	
Oct. 12, 2010	EXTENSION OF TIME TO OPPOSE PROCESS - TERMINATED	
Oct. 06, 2010	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Apr. 20, 2010	EXTENSION OF TIME TO OPPOSE RECEIVED	

Mar. 30, 2010	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Mar. 30, 2010	PUBLISHED FOR OPPOSITION	
Feb. 19, 2010	LAW OFFICE PUBLICATION REVIEW COMPLETED	70629
Feb. 16, 2010	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 11, 2009	NOTIFICATION OF LETTER OF SUSPENSION E-MAILED	6332
Aug. 11, 2009	LETTER OF SUSPENSION E-MAILED	6332
Aug. 11, 2009	SUSPENSION LETTER WRITTEN	76582
Aug. 10, 2009	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Aug. 10, 2009	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Aug. 10, 2009	TEAS REQUEST FOR RECONSIDERATION RECEIVED	
Feb. 16, 2009	NOTIFICATION OF FINAL REFUSAL EMAILED	
Feb. 16, 2009	FINAL REFUSAL E-MAILED	
Feb. 16, 2009	FINAL REFUSAL WRITTEN	76582
Jan. 22, 2009	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Jan. 21, 2009	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Jan. 21, 2009	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jul. 21, 2008	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Jul. 21, 2008	NON-FINAL ACTION E-MAILED	6325
Jul. 21, 2008	NON-FINAL ACTION WRITTEN	76582
May 15, 2008	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
May 14, 2008	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
May 14, 2008	TEAS RESPONSE TO SUSPENSION INQUIRY RECEIVED	
Mar. 20, 2008	LIE CHECKED SUSP - TO ATTY FOR ACTION	70629
Mar. 20, 2008	ASSIGNED TO LIE	70629
Sep. 17, 2007	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	
Mar. 14, 2007	LETTER OF SUSPENSION E-MAILED	6332
Mar. 14, 2007	SUSPENSION LETTER WRITTEN	76582
Feb. 16, 2007	TEAS/EMAIL CORRESPONDENCE ENTERED	88889

Feb. 16, 2007	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Feb. 16, 2007	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Dec. 27, 2006	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	
Jun. 27, 2006	LETTER OF SUSPENSION E-MAILED	6332
Jun. 27, 2006	SUSPENSION LETTER WRITTEN	76582
Jun. 27, 2006	TEAS/EMAIL CORRESPONDENCE ENTERED	78287
May 30, 2006	CORRESPONDENCE RECEIVED IN LAW OFFICE	78287
May 30, 2006	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Nov. 29, 2005	NON-FINAL ACTION E-MAILED	6325
Nov. 29, 2005	NON-FINAL ACTION WRITTEN	76582
Nov. 18, 2005	ASSIGNED TO EXAMINER	76582
Oct. 04, 2005	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION **Date in Location:** Nov. 16, 2010

Assignment Abstract of Title Information

Summary

Total Assignments: 2 **Registrant:** Anaconda Sports, Inc.

Assignment 1 of 2

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [4289/0475](#) **Pages:** 8

Date Recorded: Oct. 04, 2010

Supporting Documents: [assignment-tm-4289-0475.pdf](#)

Assignor

Name: [ANACONDA SPORTS, INC.](#) **Execution Date:** Aug. 25, 2010

Legal Entity Type: CORPORATION State or Country Where Organized: NEW YORK

Assignee

Name: [HAT WORLD, INC.](#)

Legal Entity Type: CORPORATION State or Country Where Organized: MINNESOTA

Address: 7555 WOODLAND DRIVE
INDIANAPOLIS, INDIANA 46278

Correspondent

Correspondent Name: DAVID L. MAY

Correspondent Address: 401 9TH STREET NW, SUITE 900
WASHINGTON, DC 20004

Domestic Representative - Not Found

Assignment 2 of 2

Conveyance: SECURITY INTEREST

Reel/Frame: [4461/0818](#)

Pages: 14

Date Recorded: Jan. 27, 2011

Supporting Documents: [assignment-tm-4461-0818.pdf](#)

Assignor

Name: [HAT WORLD, INC.](#)

Execution Date: Jan. 21, 2011

Legal Entity Type: CORPORATION State or Country Where Organized: MINNESOTA

Assignee

Name: [BANK OF AMERICA, N.A., AS COLLATERAL AGENT](#)

Legal Entity Type: ASSOCIATION State or Country Where Organized: UNITED STATES

Address: 100 FEDERAL STREET, 9TH FLOOR
BOSTON, MASSACHUSETTS 02110

Correspondent

Correspondent Name: JEAN PATTERSON

**Correspondent
Address:**

1090 VERMONT AVENUE, NW
SUITE 430
WASHINGTON, DC 20005

Domestic Representative - Not Found

Generated on: This page was generated by TSDR on 2012-11-19 19:31:26 EST

Mark: ROCK

ROCK

US Serial Number: 85685852

Application Filing Date: Jul. 24, 2012

Register: Principal

Mark Type: Trademark, Service Mark

Status: A non-final Office action has been sent (issued) to the applicant. This is a letter from the examining attorney requiring additional information and/or making an initial refusal. The applicant must respond to this Office action. To view all documents in this file, click on the Trademark Document Retrieval link at the top of this page.

Status Date: Nov. 19, 2012

Mark Information

Mark Literal Elements: ROCK

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- • Brackets [...] indicate deleted goods/services;
- • Double parenthesis ((..)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- • Asterisks *..* identify additional (new) wording in the goods/services

For: Sport whistles

International Class: 009 - Primary Class

U.S Class: 021, 023, 026, 036, 038

Class Status: ACTIVE

Basis: 1(a)

First Use: Mar. 15, 2002

Use in Commerce: Mar. 15, 2002

For: Stationery-type portfolios, scoring books, and clip boards

International Class: 016 - Primary Class

U.S Class: 002, 005, 022, 023, 029, 037, 038, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Mar. 15, 2002

Use in Commerce: Mar. 15, 2002

For: Bags, namely, travel bags, attaché bags, duffel bags, tote bags, carry-all bags, and athletic bags

International Class: 018 - Primary Class

U.S Class: 001, 002, 003, 022, 041

Class Status: ACTIVE

Basis: 1(a)

First Use: Mar. 15, 2002

Use in Commerce: Mar. 15, 2002

For: Lanyards for holding keys and whistles

International Class: 022 - Primary Class

U.S Class: 001, 002, 007, 019, 022, 042, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Mar. 15, 2002

Use in Commerce: Mar. 15, 2002

For: Basketballs, basketball backboards, basketball rims, and inflatable game balls, softballs, baseballs, athletic equipment, namely, ball racks, bags for carrying sport balls

International Class: 028 - Primary Class

U.S Class: 022, 023, 038, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: 1986

Use in Commerce: 1986

For: retail services, namely, online retail store services and mail order catalog services, featuring sporting equipment and accessories

International Class: 035 - Primary Class **U.S Class:** 100, 101, 102

Class Status: ACTIVE

Basis: 1(a)

Basis Information (Case Level)

Filed Use:	Yes	Currently Use:	Yes	Amended Use:	No
Filed ITU:	No	Currently ITU:	No	Amended ITU:	No
Filed 44D:	No	Currently 44D:	No	Amended 44D:	No
Filed 44E:	No	Currently 44E:	No	Amended 44E:	No
Filed 66A:	No	Currently 66A:	No		
Filed No Basis:	No	Currently No Basis:	No		

Current Owner(s) Information

Owner Name: Hat World, Inc.

7555 Woodland Drive
Owner Address: Indianapolis, INDIANA 46278
UNITED STATES

Legal Entity Type:	CORPORATION	State or Country Where Organized:	MINNESOTA
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Attorney/Correspondence Information

Attorney of Record

Attorney Name: David L. May **Docket Number:** 058988-159

Correspondent

Correspondent Name/Address: DAVID L. MAY
NIXON PEABODY LLP
401 9TH ST NW STE 900
WASHINGTON, DISTRICT OF COLUMBIA 20004-2145

UNITED STATES

Phone: 202-585-8000

Fax: 202-585-8080

Correspondent e-mail: nptm@nixonpeabody.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Nov. 19, 2012	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Nov. 19, 2012	NON-FINAL ACTION E-MAILED	6325
Nov. 19, 2012	NON-FINAL ACTION WRITTEN	83189
Nov. 19, 2012	ASSIGNED TO EXAMINER	83189
Jul. 31, 2012	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jul. 27, 2012	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information

TM Attorney:	FLOWERS, JAY K	Law Office Assigned:	LAW OFFICE 112
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File Location

Current Location:	TMO LAW OFFICE 112 - EXAMINING ATTORNEY ASSIGNED	Date in Location:	Nov. 19, 2012
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